

**REMARKS**

The Office action dated January 17, 2003 and the cited references have been carefully considered.

**Remarks on the Current Amendment to the Claims**

Claims 1, 2, 4, 10, 11, 12, 19, 20, 26, and 29 have been amended clearly to show that each of the OLED modules comprises an organic layer that emits light when activated. Support for this clarification is found, for example, on page 18, at lines 19-20; on page 20, at lines 2-3; and on page 23, at lines 16-17.

**Status of the Claims**

Claims 1-29 and 46-51 are pending.

Claims 4-28 are allowed. The Applicants wish to thank the Examiner for indicating that claims 4-28 are allowed.

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Allen (U.S. Patent 6,072,280). Claims 46 and 47 are rejected under 35 U.S.C. § 102(b) as being anticipated by Okuda (U.S. Patent 5,828,181). Claims 2, 3, 29, and 48-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen in view of Okuda. The Applicants respectfully traverse all of these rejections for the reasons set forth below.

**Claim Rejection Under 35 U.S.C. § 102**

Claim 1 is rejected under 35 U.S.C. under 35 U.S.C. § 102(e) as being anticipated by Allen. The Applicants respectfully traverse this rejection because Allen does not disclose each and every element of claim 1.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a *single* prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis

added). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Allen discloses only LEDs that comprise inorganic light-emitting layers. Allen's Table 1 shows various LEDs that are employed in accordance with his invention. All of these LEDs have inorganic light-emitting materials (GaAIAs, GaP, or GaAsP). Furthermore, the general term "LED" is used and understood by people in the art to mean inorganic LEDs, and not organic light-emitting diodes as recited in claim 1. *See; e.g., Lighting Handbook*, 9<sup>th</sup> ed., published by the Illuminating Engineering Society of North America (2000), pp. 6-65 to 6-67 (previously submitted with the Applicants' response to Office action paper No. 3); or I. Sinclair, *Practical Electronics Handbook*, 5<sup>th</sup> ed., published by Newnes, Oxford (2000), p. 57.

Since nowhere does Allen disclose organic light-emitting materials, Allen does not disclose every element of claim 1, and, therefore, does not anticipate claim 1.

Claims 46 and 47 are rejected under 35 U.S.C. § 102(b) for being anticipated by Okuda. The Applicants respectfully traverse this rejection because Okuda does not disclose each and every element of each of claims 46 and 47.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a *single* prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). "The identical invention must be shown in *as complete detail as is contained in the . . . claim.*" *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The Examiner asserted that "Okuda discloses a display comprising . . . organic light emitting diode (OLED) modules arranged to spell out at least one letter or depict an image (Fig 9, col. 2, lines 1-45)." The Applicants respectfully traverse this assertion because Fig. 9 or column 2, lines 1-45, does not disclose expressly or inherently an arrangement of OLEDs to spell out a letter or to depict an image. Figure 9 merely shows four diodes arranged in 2 rows and 2 columns. Such an arrangement without more specific teaching as to, for example, shape or size of the individual diodes, does not lead to a conclusion that the four diodes form a letter or an image. Moreover, inorganic LEDs of the type that Allen

teaches typically have millimeter sizes. Merely showing four LEDs of this typical size cannot fairly lead to a conclusion that a letter or an image is formed. Similarly, Okuda merely discloses a matrix array of emitting elements (column 2, lines 43-44), and fails to teach or suggest that this array be formed to spell out a letter or depict an image, as is recited in claims 46 and 47. A mere disclosure of a matrix array does not fairly suggest a letter or an image. In order to anticipate, the reference must disclose as complete details as the claim. *Id.*

Moreover, claim 47 recites that each OLED module has the shape of a letter or image. Nowhere does Okuda disclose this limitation.

Since Okuda does not disclose each and every limitation of each of claims 46 and 47, Okuda does not anticipate these claims.

#### **Claim Rejection Under 35 U.S.C. § 103(a)**

Claims 2, 3, 29, and 48-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen in view of Okuda. The Applicants respectfully traverse this rejection because a combination of Allen and Okuda does not teach or suggest all of the elements of claims 2, 3, 29, and 48-51.

"[T]he legal conclusion of obviousness [under 35 U.S.C. § 103(a)] requires that there be some suggestion, motivation, or teaching in the prior art whereby the person of ordinary skill would have selected the components that the inventor selected and used them to make the new device." *C.R. Bard, Inc. v. M3 Systems, Inc.*, 48 U.S.P.Q.2d 1225, 1231 (Fed. Cir. 1998). Thus, in order for the prior art to render the claimed invention obvious, all of the elements thereof must be taught or suggested in the prior art. "What must be found obvious to defeat the patentability of the claimed invention is the claimed combination." *The Gillette Co. v. S.C. Johnson & Son, Inc.*, 16 U.S.P.Q.2d 1923, 1927 (Fed. Cir. 1990).

"To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." "All words in a claim must be considered in judging the patentability of that claim against the prior art." MPEP § 2143.03 (8<sup>th</sup> ed., Aug. 2001).

Okuda discloses the method of operating his matrix array at column 5, lines 8-30; each element of the matrix array being electrically independent from the others. The cathodes of all light-emitting elements are connected at the same time to a power supply 116 so that power is supplied to all of the cathodes (column 5, lines 20-22); i.e., each column of diodes receives power independently from other columns. The anodes are connected so as to sequentially scan the rows (column 5, lines 23-24). Thus, Okuda teaches that each diode is electrically independent from the others, and not connected in series, i.e., the anode of one OLED is electrically connected to the cathode of the next OLED, as is recited in claims 2, 3, 29, 48-51. Okuda's method of activating the diodes cannot be applied to activate a group of diodes electrically connected in series, as is disclosed in Allen, to produce a working device.

Since Okuda's teaching can in no way be applied to Allen's system to produce a working system, a combination of Allen and Okuda does not render claims 2, 3, 29, and 48-51 obvious.

In view of the above, it is submitted that the claims are patentable and in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims at an early date is solicited.

Respectfully submitted,



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